

## BUREAU OF WATER POLLUTION CONTROL

The Bureau of Water Pollution Control is responsible for protecting the quality of the waters of the state from any adverse effects resulting from a discharge, i.e., any addition of a pollutant or pollutants to water (NRS 445A.345). The term “waters of the state” is defined as “all waters situated wholly or partly within or bordering upon Nevada, including: all streams, lakes, ponds, impounding reservoirs, marshes, water courses, waterways, wells, springs, irrigation and drainage systems, all bodies or accumulations of water, surface and underground, natural or artificial” (NRS 445A.415).

To maintain the quality of the state’s waters, the Bureau of Water Pollution Control: issues permits for discharges; reviews and approves technical designs, including those for wastewater treatment facilities and subdivision plans; conducts compliance inspections of facilities; enforces permit conditions; and enforces the law which prohibits unauthorized discharges.

The Bureau is organized into four branches: the permits branch, the technical services branch, the enforcement branch and the administrative branch.

The **permits branch** issues state groundwater permits, NPDES permits for surface water discharges, biosolids permits and underground injection control permits. Permits may be individual permits, general permits for rolling stock and oil and water separators, or temporary permits.

The **technical services branch** reviews and approves the design of wastewater treatment facilities, reviews subdivision plans for water pollution and proper sewage disposal, issues individual storm water permits, reviews the design of individual sewage disposal systems, issues general permits for storm water and individual sewage disposal systems, performs inspections of permitted facilities, provides technical assistance to municipalities and health authorities, reviews parcel maps when required/requested by the counties and implements the wastewater operator circuit rider program.

The **enforcement branch** reviews discharge monitoring reports, enforces conditions of discharge permits, conducts inspections to determine compliance, issues findings of violations and administrative orders, conducts hearings and convenes penalty panels to evaluate violations and recommend penalties.

The **administrative branch** oversees the State Revolving Loan Fund and the Construction Grants Program, performs contract tracking and compliance, and manages the administrative functions of the bureau.

Nevada has a state program to protect ground water quality. The bureau issues groundwater permits (NEV permits) for activities like: surface disposal, septic systems, alternative sewage disposal such as mound systems, unlined ponds, overland flow, reuse and irrigation. “Zero discharge permits” are also issued in cases where a potential to discharge exists; e.g., lined ponds and tanks. Proposed projects are evaluated to ensure that ground water quality is not degraded and that drinking water quality standards are not violated.

The underground injection control program is authorized under the federal Safe Drinking Water Act and has been delegated to the state. Underground Injection Control (UIC) permits authorize subsurface discharges into a well (a conveyance that is deeper than it is wide). The UIC permits (UNEV) are commonly issued for dewatering, remediation projects, disposal of fluids from oil and gas recovery and spent geothermal fluids from power generation facilities.

The bureau also issues surface water discharge permits (NV permits). The United States Environmental Protection Agency (E.P.A.) has delegated responsibility to the State of Nevada to implement the National Pollutant Discharge Elimination System (NPDES) program authorized by the Clean Water Act. The NPDES permit regulates discharges into “waters of the United States.” The state issues surface water discharge permits to surface waters, including:

lakes, streams, dry washes and storm drains. The NPDES program includes storm water runoff. All surface water discharge permits are sent to EPA Region IX for review before they are issued.

Temporary permits (TNEV or TNV) may be issued for discharges when the discharges are expected to last between 48 hours and six months.

A general permit (GNV or GNEV) is an “umbrella” permit for a specific, defined type of discharge. The conditions of the permit and the monitoring required are the same or similar for all entities under the permit. Entities desiring inclusion submit a “Notice of Intent” to the bureau for review. General permits may be revoked, and the director of the division may require someone with a general permit to obtain an individual permit.

The Bureau of Water Pollution Control (BWPC) works closely with the Bureau of Water Quality Planning (BWQP) to ensure that the “requirements to maintain existing higher quality” standards developed by the BWQP for surface waters are maintained and with other bureaus to ensure that any discharges to either surface water or ground water by another bureau's clients are correctly implemented. Projects are coordinated with other divisions: e.g., drilling activities and wells used to recharge an aquifer or to store or recover water are regulated by the Division of Water Resources.

The BWPC administers the State Revolving Loan Fund Program, which provides loans to any publicly-owned treatment works (POTW) for construction activities and to non-point source projects. The bureau also administers a grant from E.P.A. for a “circuit rider” program. The circuit rider is given financial and technical support from the bureau to provide training and technical assistance to rural wastewater operators and utility managers. The contract for funding for this program is renewable every two years; the funding is approved every year.

The division performs engineering reviews of the designs of permitted facilities, inspects permitted facilities, reviews subdivision plans with respect to water pollution and sewage disposal, reviews parcel maps when required/requested by counties and investigates violations of water pollution statutes and regulations.

Certification is required for certain sewage treatment plant employees. The bureau oversees the certification program, which has been contracted to the Nevada Water Environment Association (NWEA). The NWEA sends out applications, receives completed applications and fees and administers the examinations.

A southern Nevada branch office in Las Vegas performs site visits and technical reviews, reviews subdivision plans, responds to complaints, assists in enforcement and holds show-cause meetings. The office also performs compliance inspections.

**Authority:** NRS 445A.060 through 445A.730

**Employees:** 21 FTE

**Main Office:** 333 W. Nye Lane, Room 129  
Carson City, Nevada 89706-0851  
Phone (775) 687-4670  
Fax (775) 687-5856

**Southern Nevada Office:** 555 East Washington, Suite 4300  
Las Vegas, Nevada 89101-1049  
Phone (702) 486-2850  
Fax (702) 486-2863  
2 employees

## REGULATORY FUNCTIONS

### *Individual Discharge Permits*

#### **A. Individual Groundwater Discharge Permit**

**Authority:** NAC 445A.228 through 445A.263

**When**

**Required:** Prior to the initiation of any activities which will or may result in a discharge of pollutants which have the potential to impact the ground waters of the state. Examples are wastewater treatment plants, package plants for sewage treatment and rapid infiltration basins. Mining processes are permitted by the Bureau of Mining Regulation and Reclamation.

**Approximate  
Time to**

**Obtain:** 3-6 months

**Duration of  
Permit:**

5 years

**Fees:** Application, annual and renewal fees apply. See fee schedule (NAC 445A.232).

**Information**

**Required:** A bureau permit application and the required supporting documentation must be submitted not less than 180 days in advance of the date of desired discharge. Material must be submitted to ensure compliance with any applicable zoning or siting requirements and any water quality standards. Any information needed to evaluate the application may also be requested.

**Public Notice:** Required.

**Reporting**

**Required:** Reporting is required quarterly. Monitoring schedules are site-specific.

**Comments:**

Persons utilizing individual sewage disposal systems or soil absorption systems for the treatment and disposal of domestic wastes with flows less than 5000 gallons per day are exempt upon approval of the system by district or state health departments. A permit is required for flows of 5000 gallons or more per day. Discharges from agricultural and silvicultural activities may be exempt under designated conditions (NAC 445A.228). The division has a memorandum of understanding with the Clark County Health District and the state Health Division (Department of Human Resources): these agencies normally permit individual sewage systems with a capacity less than 5000 gallons per day. The Washoe County District Health Department permits all individual sewage systems within the county. If the capacity of the system is less than 5000 gallons per day, the state Bureau of Health Protection usually processes the application and grants

the permit for areas outside Clark and Washoe counties.

Permit limitations and requirements are facility specific. Among the parameters considered for every site are: flow, biologic oxygen demand and total suspended solids, fecal coliform bacteria, pH, nitrates, chlorine residual and metals.

Depending on site conditions, a minimum of one upgradient and one downgradient groundwater monitoring well must be installed.

All application and reporting forms must be accompanied by a statement of verification of accuracy and signed by an authorized person (NAC 445A.231).

**B. Surface Water Discharge Permit**

**Authority:** NAC 445A.070 through 445A.225  
NAC 445A.228 through 445A.272  
NAC 445A.283 through 445A.302

**When**

**Required:** Before any discharge to surface waters or to an area where surface waters may be affected; includes dry washes.

**Approximate  
Time to**

**Obtain:** 6 months

**Duration of  
Permit:**

5 years

**Fees:** Application, renewal and annual fees apply. See fee schedule (NAC 445A.232).

**Information**

**Required:** A bureau application requiring specific information (including the quality of the discharge and the quality of the receiving waters) and appropriate supporting documentation must be submitted not less than 180 days in advance of the date of desired discharge.  
Material must be submitted to ensure compliance with any applicable zoning requirements and any other water quality standards.

**Public Notice:** Required

**Reporting**

**Required:** Reporting required quarterly.

**Comments:**

Package treatment plants must submit a letter from the local governing body stating that appropriate requirements have been met (NRS 445A.540).  
Persons with individual sewage disposal systems may be exempt upon approval of the system by district or state health departments.  
Discharges from agricultural and silvicultural activities may be exempt under designated conditions (NAC 445A.228).  
All application and reporting forms must be accompanied by a statement verifying the accuracy of the material submitted and signed by an authorized person (NAC 445A.231).

## *Underground Injection Control Permits*

### **A. Class II, An Injection Well for the Production and Storage of Oil and Gas**

**Authority:** NAC 445A.810 through 445A.925 (Class II defined NAC 445A.846)

**When**

**Required:** Prior to construction of a well to be used for injecting: fluids brought to the subsurface in connection with conventional production of oil or natural gas; fluids used to enhance the recovery of oil or natural gas; or hydrocarbons which are liquid at standard temperature and pressure and need to be stored.

**Approximate  
Time to**

**Obtain:** 6 months

**Duration of  
Permit:**

5 years

**Fees:** Application, annual and renewal fees apply. See fee schedule (NAC 445A.872).

**Information  
Required:**

An application form supplied by the bureau must be completed and submitted with all required supporting documentation. Among the required items are: a map of the site extending at least a mile beyond the boundaries of the facility and showing each injection well; plans and specifications for the facility and the injection well; flood-plain and drainage information; chemical analysis of receiving waters and discharged fluids; information regarding drinking water sources and wells within the "area of review"; proposed procedures for injection; and a plan for abandonment.

The applicant must also provide evidence of a bond that will cover costs of plugging and abandonment.

If the well is on federal lands, a bond may be deposited with the federal government.

Class II well applications must also include: the fluid pressure, the estimated fracture pressure, and the physical and chemical characteristics of the injection zone.

**Public Notice:** Required

**Reporting**

**Required:** Quarterly reports and/or discharge monitoring report summaries are required.

**Comments:**

No vested rights to water resources are granted by the permit.

All application and reporting forms must contain a statement certifying the accuracy of the information submitted and must be signed by an authorized person (NAC445A.867).

### **B. Class III, A Well Used for the Injection of Fluids for the Extraction of Minerals or Energy (Except Geothermal Energy)**

**Authority:** NAC 445A.810 through 445A.925 (Class III defined NAC 445A.847)

**When Required:** Prior to construction of an injection well or before the injection into an existing well of fluids for the purpose of extracting minerals or energy, except geothermal energy. Processes included are the Frasch process of mining sulfur, solution mining of salts or potash and the in-situ recovery of fossil fuel, e.g., oil, tar sands and oil shale.

**Approximate Time to Obtain:** 6 months

**Duration of Permit:** 5 years

**Fees:** Permit, annual and renewal fees apply. See fee schedule (NAC 445A.872).

**Information Required:** An application form supplied by the bureau must be completed and submitted with all required supporting documentation. The basic information required is the same as that required for a Class II well.

**Public Notice:** Required

**Reporting Required:** Quarterly monitoring is required.

**Comments:** No vested rights to water resources are granted by the permit. All application and reporting forms must contain a statement certifying the accuracy of the information submitted and must be signed by an authorized person (NAC445A.867).

**C. Class I and Class IV Wells**

**Authority:** NAC 445A.845  
NAC 445A.848  
NAC 445A.856

**When Required:** Class I and Class IV wells are prohibited.

**Approximate Time to Obtain:** Not applicable

**Duration of Permit:** Not applicable

**Fees:** Not applicable

**Information Required:** Not applicable

**Public Notice:** Not applicable

**Reporting  
Required:** Not applicable

**Comments:** A Class I well is an injection well for the disposal of industrial, municipal and radiological or high level radioactive waste into the lowest formation containing, within one quarter mile of the well bore, water with a concentration of total dissolved solids of 10,000 milligrams or less per liter. A Class IV well is an injection well for the injection of hazardous wastes. **Both of these well types are prohibited in Nevada.**

**D. Class V, All Wells Not Included in Other Classes**

**Authority:** NAC 445A.810 through 445A.925. (Class V defined NAC 445A.849)

**When  
Required:** Prior to construction of an injection well or to injection into an existing well not covered as Classes I through IV.

**Approximate  
Time to  
Obtain:** 6 months

**Duration of  
Permit:** 5 years

**Fees:** Application, annual and renewal fees apply. See fee schedule (NAC 445A.872).

**Information  
Required:** An application form supplied by the bureau must be completed and submitted with all required supporting documentation. The basic information required is the same as that required for a Class II well.

**Public Notice:** Required.

**Reporting  
Required:** Quarterly reporting required.

**Comments:** Examples of Class V wells are: geothermal wells used in heating, the production of energy and in aquaculture; wells used to inject solids into subsurface mines; wells used for accepting fluids accumulated from dewatering operations; or injection wells used in experimental technologies (NAC 445A.849).  
All application and reporting forms must contain a statement certifying the accuracy of information submitted and must be signed by an authorized person (NAC445A.867).

## ***General Permits***

### **A. General Septic Tank Discharge Permit**

**Authority:** NAC 445A.266- 445A.272 (“General permit” is defined in NRS 445A.360.)

**When**

**Required:** For systems with the capability of processing between 5000 and 25,000 gallons per day.

**Approximate  
Time to**

**Obtain:** 4 weeks or less.

**Duration of  
Permit:**

5 years.

**Fees:** Filing fee and annual fees apply. See fee schedule (NAC445A.268).

**Information  
Required:**

A “Notice of Intent” (NOI) form obtained from the bureau and any supporting documentation required by the bureau application process are required. The NOI requests that the applicant be included under the general permit for septic tank discharges. In addition to discharger and location information, the flow estimate and the number of people served or the tank size must be included in the NOI.

**Public Notice:** Not required for an individual applicant. (Required for the general permit.)

**Reporting  
Required:**

Yearly reporting is required.

**Comments:** For individual septic disposal systems with less than 5000 gallon capacity, permits are usually issued by the state Health Division in the Department of Human Resources, the Clark County Health District or the Washoe County District Health Department. The NOI and reports must include a statement certifying that the information submitted is accurate and must be signed by an authorized person (NAC445A.231).

### **B. General Storm Water Permit**

**Authority:** NAC 445A.266 through 445A.272

**When**

**Required:** For all new and existing facilities as described in 40 CFR 122.26 (b)14. The NOI, pollution prevention plan and fees for construction activities must be submitted no later than two days prior to the start of construction.

**Approximate**

**Time to Obtain:** 1 week (Storm water permits are effective upon receipt of the NOI, the pollution prevention plan and the appropriate fee and upon notification of authorization by BWPC. A copy of the general permit and an authorization letter are issued when authorization is granted.)

**Duration of**

**Permit:** 5 years.

**Fees:** Filing and annual fees apply. See fee schedule (NAC445A.268).

**Information Required:** A bureau-prepared NOI must be completed and returned to the bureau along with an approvable pollution prevention plan.

**Public Notice:** None required for individual party. (Required prior to issuance of the general permit.)

**Reporting Required:** Inspections and maintenance will be done not less than once a year by the permittee. Annual reporting is required.

**Comments:** Three general types of storm water permit are issued by the BWPC: general construction (GNV0022241), general industries (GNV0022233) and mining (GNV0022225). Individual permits may be issued for storm water runoff if necessary. The NOI and reporting forms must include a statement verifying the accuracy of the information submitted and be signed by an authorized person.

**C. General Rolling Stock Permit**

**Authority:** NAC 445A.266 through 445A.272 (“General permit” is defined in NRS 445A.360.) NRS 445A.395; NRS 445A.465; NRS 445A.475

**When Required:** Before operating earthmoving equipment in any body of water.

**Approximate Time to Obtain:** 4 weeks or less.

**Duration of Permit:** 5 years.

**Fees:** Filing fee and annual fees apply. See fee schedule (NAC 445A.268).

**Information Required:** An NOI describing the project and including information on: the location, purpose and duration of the project; the kind of equipment involved and how it will be operated; and the Best Management Practices to be implemented. Proof of clearances from the following should be included, if applicable: U. S. Army Corps of Engineers; Division of State Lands, Department of Conservation and Natural Resources (DCNR); Bureau of Water Quality Planning, Division of Environmental Protection; Division of Wildlife, DCNR.

**Public Notice:** None required for an individual party. (Required prior to issuance of the general permit.)

**Reporting**

**Required:** Reporting may be required; frequency depends on the project.

**Comments:** An authorization letter is sent by the BWPC.  
 Examples of activities considered under this permit are those involving routine maintenance in surface waters such as channel clearing and minor repairs to intake structures.  
 The NOI and reporting forms must include a statement certifying the accuracy of the information submitted and must be signed by an authorized person. (NAC445A.231)  
 A Best Management Plan may be required. Equipment must be clean and leak free.  
 Restoration may be required.

**D. General Discharge Permit for Oil/Water Separators**

**Authority:** NAC 445A.266 through 445A.272 (“General permit” is defined in NRS 445A.360)

**When Required:** No later than 30 days before a new discharge is expected to occur. Discharges covered are those treated by an oil/water separator; e.g., process water, a discharge not regulated by an existing discharge permit, a discharge not regulated by a local ordinance or regulation.

**Approximate Time to Obtain:** 4 weeks or less.

**Duration of Permit:** 5 years.

**Fees:** Filing fee and annual fees apply. See fee schedule (NAC445A.268).

**Information Required:** An NOI form obtained from the bureau and any supporting documentation required by the bureau application process are required. The NOI requests that the applicant be included under the general permit for oil/water separators.  
 A Best Management Plan is required. It must include provide bureau-requested information, including: site maps; a description of the location, the facility and drainage systems; a description of general housekeeping practices; inspection and maintenance schedules; plans for spill prevention and control; employee training; and identification of other control practices.

**Public Notice:** Not required for an individual applicant. (Required before the general permit is issued. The general permit is designated GNV9800001.)

**Reporting Required:** Yearly reporting is required.

**Comments:** If sludge is removed and characterized for disposal, this information must be part of the yearly report.  
 Test procedures for analysis of pollutants must conform to 40 CFR, Part 136.  
 Records must be kept for three years.

The permittee must notify the division within 24 hours of any change in the system not specifically allowed by the permit. Division representatives must have access to the premises and records. The NOI and reports must include a statement certifying that the information submitted is accurate. They must be signed by an authorized person (NAC445A.231).

**E. General Injection Well Permit**

**Authority:** NAC 445A.891 through 445A.896

**When**

**Required:** A general permit can be written for specified categories of Class V wells; e.g., closed circuit geothermal wells; closed-circuit wells used to inject water used for heating or cooling by a heat pump.

**Approximate  
Time to**

**Obtain:** 4-6 weeks once a general permit has been obtained.

**Duration of  
Permit:**

5 years.

**Fees:** None.

**Information**

**Required:** The well will have to fit the category of well for which the general permit is written.

**Public Notice:** Not required for a specific well to be included under the general permit. Any general permit will have to undergo public notice procedures.

**Reporting**

**Required:** Quarterly.

**Comments:** Although a general permit for injection wells is possible under the regulations (NAC 445A.891-445A.896), no general permit for this category has been written.

***Temporary Permits***

**A. Temporary Discharge Permits**

**Authority:** NRS 445A.485  
NAC 445A.890

**When**

**Required:** Before any discharge that may directly or indirectly affect waters of the state.

**Approximate  
Time to**

**Obtain:** 30 days or less.

<b>Duration of Permit:</b>	No more than 180 days.
<b>Fees:</b>	An application fee applies. See fee schedules (NAC445A.232 and NAC 445A.872).
<b>Information Required:</b>	Basic information is required by the bureau's temporary permit application forms for various activities, including temporary rolling stock and pump testing/aquifer drawdown testing, dewatering, remediation and disinfection.
<b>Public Notice:</b>	Not required, but may be done at the discretion of the administrator.
<b>Reporting Required:</b>	Depends on the project
<b>Comments:</b>	A temporary permit may be issued for the following types of discharges: rolling stock; remediation; well pump testing; aquifer drawdown testing; dewatering; disinfection and other discharges of a temporary nature and requiring immediate action and underground injection wells. All application and reporting forms must include a statement verifying the accuracy of the information submitted and be signed by an authorized person (NAC445A.231).

### ***Certification***

#### **A. Wastewater Treatment Plant Operator Certification**

<b>Authority:</b>	NAC 445A.286 through NAC 445A.292
<b>When Required:</b>	Supervisors, assistant supervisors, foremen or shift operators in charge of a plant, or persons in charge of daily operation and maintenance for sewage treatment must be appropriately certified if the plant is manned more than 40 hours a week.
<b>Approximate Time to Obtain:</b>	An examination, usually given three times a year by the Water Environment Federation, must be passed. The certification is sent to the applicant about 1 month after passing the examination.
<b>Duration of Certificate:</b>	2 years.
<b>Fees:</b>	Application and renewal fees apply. See fee schedule (NAC445A.287).
<b>Information Required:</b>	Information requested on the bureau application must be submitted.
<b>Public Notice:</b>	Not applicable. (A list of names of individuals who pass the examination is published in the <u>Silver State News</u> , the newsletter of the Water Environment Federation.)

**Reporting  
Required:**

Not applicable.

**Comments:**

Level of certification needed depends on the size of the plant and the duties of the employee. There are five grades of certification, with Grade V being the most advanced. Persons holding a certificate from a jurisdiction that is an Association of Boards of Certification Reciprocity Partner may receive a certificate without examination for any grade except Grade V. All applicants for Grade V must pass a test.

### ***Subdivision Review***

#### **A. Review of Tentative and Final Subdivision Maps**

**Authority:**

NRS 278.335, 278.377, NAC 278.010 through 278.530

**General  
Process:**

The Bureau of Water Pollution Control reviews tentative and final subdivision maps. NRS 278.335 provides for a three part system for review of subdivision maps which includes the Division of Water Resources in the Department of Conservation and Natural Resources and the Division of Health, Bureau of Health Protection Services, in the Department of Human Resources. The Division of Health has the final authority to deny a tentative map and/or final subdivision map. Approval of the final maps by the Division of Health for a subdivision is dependent upon review and approval by the Bureau of Water Pollution Control. The Clark County and the Washoe County Health Districts also have a responsibility in the review of subdivisions. They are the lead health agencies in those two counties, where the Division of Health is responsible for the balance of the state.

**Review Process:**

The Bureau assesses the proposed subdivision for water pollution for sewage disposal. The type of sewage disposal system must be specified and identified in the subdivision map. Such systems includes the connection to a community wastewater treatment system or individual sewage disposal systems (i.e. septic tanks). Action on the tentative subdivision is based on approval, conditional approval or disapproval within 15 days of receipt of the tentative map. Fees (see NAC 445A.342 in the Fee Schedule) must be paid prior to approval. The Bureau has the final approval authority regarding final map. When a community wastewater treatment system is to be used, a sewer "will serve" letter must be submitted to the Bureau of Water Pollution Control.

**Individual Systems:**

If individual sewage systems are proposed for use in the subdivision, the Bureau will require further investigation of local soil and ground water conditions. The Division has established a maximum density for septic tanks for every hydrographic basin in Nevada and proposed subdivisions are reviewed for potential impacts. The Bureau should be contacted for further information regarding specific density with the hydrographic basins.

**Fees:**

For final maps, a jurat (a signature page), a \$50.00 fee and the final plat are required prior to approval by the Bureau. See NAC 445A.342 in the fee schedule. For a tentative map, a \$100 plus \$1.00 per lot fee is required.

## *State Revolving Loan Program*

### **A. State Revolving Loan Program**

**Authority:** NRS 445A.060 through 445A.160 and NAC 445A.685 through NAC 445A.805

**When**

**Required:** The State Revolving Loan program (SRF) is a financial assistance program for communities (public entities), which provides low interest loans for the treatment of wastewater and to provide for reclamation and reuse of water. This is a low cost revolving loan program to communities using State financial bonds and federal loan program funds. Interest rates for loans are provided at below market rate.

**Eligibility:** Projects that are eligible for SRF loans include: wastewater treatment plant construction and repair, collection system construction and repair, erosion control activities, water rights acquisitions, landfill closure activities and underground storage tank removal.

**Approx. Time  
to Obtain:**

The loan program has a number of thresholds for receiving funding from the SRF program. The approximate time from development of an application to placement upon the Priority Listing for projects can be from six months to one year, depending upon the complexity of the project and the availability of loan funds and the ranking on the Priority List.

**Loan Process:** Applicants must engage a series of steps in order to be eligible for a revolving loan. To receive funding, the applicant must be on the Nevada State SRF Project Priority List. Subsequently the applicant must then submit a completed facility plan, the appropriate environmental assessment of the facility plan, a sewer use change and ordinance, design plan and specifications.

**Fees:** Loan origination fees could apply. See NAC 445A.775 in the fee schedule.

**Information**

**Required:** Request for placement on the Priority List, a loan application, a facility plan with environmental assessment, plans and specifications and a sewer use and charge ordinance.

**Public Notice:** The draft Intended Use Plan (priority list) has a 30 day public notice period, after which a public hearing is held in August of any given year. After the hearing, a final Intended Use Plan is issued. The findings of the environmental review, whether it be a categorical exclusion, a finding of no significant impact or an environmental impact assessment, also require a 30- day public comment period.

**Reporting**

**Required:** Disbursement requests are submitted to the Bureau of Water Pollution Control on a regular basis. There is a Loan Payment Request form, available at the Bureau's web site.

**Comments:** Applicants need to apply early in the process. The loan program has a diversity of documents and subordinate processes requiring coordination among the applicant, the Bureau, the State Treasurer, bond counsel, the State Debt Commission, design and engineering companies, and the State Department of Administration.

## **WATER POLLUTION CONTROL FEE SCHEDULES AND AUTHORITIES**

### **FEE DESCRIPTION: Water Pollution Control NPDES Discharge Permit Fee/Schedule**

NRS AUTHORITY: 445A.430      NAC AUTHORITY: 445A.232

CITATIONS: Fees (By NAC, last amended April 1999. Note petition 1999-02, LCB File No. R-018-99 amends those fees relating to mining activities)

#### **DISCUSSION:**

NAC 445A.232 in section 1 contains a fee schedule for original permit, renewal and annual review and services for a various source categories (domestic waste water, manufacturing, power plants, mine dewatering, water treatment plants, storm water and miscellaneous discharges. **(Table 6A)** Fees are based upon flow volumes or acreage of facility (storm water only). Section 2 has a special provision for wastewater used in irrigation with the fee at 75 percent of domestic wastewater fees. The annual fees must be submitted by July 1. For those fees **relating to mining a two tiered structure exists**. The existing table 6A is effective until July 1, 2001 and table 6B becomes effective on July 1, 2001. **The below tables were adopted by the State Environmental Commission as petition 2000-03, LCB File R-206-99 on December 16, 1999 and became effective on January 26, 2000.** The mine watering, mine water pollution control and stormwater fees were retained, while all other fees in this citation were amended. The Commission also adopted a method of percentage indexing of the fees, other than those listed above. This index should be applied to fees based upon the various dates listed in the table 6B.

**Table 6A -New Water Pollution Control Fees - Per Petition 2000-03 (LCB File No. R206-99)**

#### **NAC 445B.232 Water Pollution Discharge Permit Fee Schedules**

<b>Type of Permit Issued</b>	<b>Application Fee</b>	<b>Fee for Annual Review</b>
<b>DISCHARGE OF DOMESTIC WASTEWATER</b>		
Less than 50,000 gallons daily	\$ 1,000	\$ 1,000
50,000 gallons or more but less than 250,000 gallons daily	\$ 1,500	\$ 1,500
250,000 gallons or more but less than 500,000 gallons daily	\$ 2,000	\$ 2,000
500,000 gallons or more but less than 1,000,000 gallons daily	\$ 3,000	\$ 3,000
1,000,000 gallons or more but less than 2,000,000 gallons daily	\$ 4,000	\$ 4,000
2,000,000 gallons or more but less than 5,000,000 gallons daily	\$ 6,000	\$ 6,000

<b>Type of Permit Issued</b>	<b>Application Fee</b>	<b>Fee for Annual Review</b>
5,000,000 gallons or more but less than 10,000,000 gallons daily	\$ 10,000	\$ 10,000
10,000,000 gallons or more but less than 20,000,000 daily	\$ 10,000	\$ 20,000
20,000,000 gallons or more but less than 40,000,000 daily	\$ 10,000	\$ 30,000
40,000,000 gallons or more daily	\$ 10,000	\$ 40,000
<b>DISCHARGE OF TREATED EFFLUENT FOR IRRIGATION</b>		
Less than 50,000 gallons daily	\$ 750	\$ 750
50,000 gallons or more but less than 250,000 gallons daily	\$ 1,000	\$ 1,000
250,000 gallons or more but less than 500,000 gallons daily	\$ 1,250	\$ 1,250
500,000 gallons or more but less than 1,000,000 gallons daily	\$ 1,500	\$ 1,500
1,000,000 gallons or more but less than 10,000,000 gallons daily	\$ 2,000	\$ 2,000
10,000,000 gallons or more but less than 20,000,000 gallons daily	\$ 2,500	\$ 2,500
20,000,000 gallons or more but less than 40,000,000 gallons daily	\$ 3,000	\$ 3,000
40,000,000 gallons or more daily	\$ 3,500	\$ 3,500
<b>DISCHARGE FROM REMEDIATION, DEWATERING, OR FROM A POWER PLANT, A MANUFACTURING OR FOOD PROCESSING FACILITY OR ANY OTHER COMMERCIAL OR INDUSTRIAL FACILITY</b>		
Cooling water only	\$ 2,000	\$ 2,000
Less than 50,000 gallons of process water daily	\$ 2,500	\$ 2,500

<b>Type of Permit Issued</b>	<b>Application Fee</b>	<b>Fee for Annual Review</b>
50,000 gallons or more but less than 250,000 gallons of process water daily	\$ 3,000	\$ 3,000
250,000 gallons or more but less than 500,000 gallons of process water daily	\$ 4,000	\$ 4,000
500,000 gallons or more but less than 1,000,000 gallons of process water daily	\$ 5,000	\$ 5,000
1,000,000 gallons or more but less than 2,000,000 gallons of process water daily	\$ 6,000	\$ 6,000
2,000,000 gallons or more but less than 5,000,000 gallons of process water daily	\$ 8,000	\$ 8,000
5,000,000 gallons or more but less than 10,000,000 gallons of process water daily	\$ 10,000	\$ 10,000
10,000,000 gallons or more but less than 20,000,000 gallons of process water daily	\$ 10,000	\$ 20,000
20,000,000 gallons or more but less than 40,000,000 gallons of process water daily	\$ 10,000	\$ 30,000
40,000,000 gallons or more of process water daily	\$ 10,000	\$ 40,000
<b>DISCHARGE FROM A TREATMENT PLANT FOR DRINKING WATER</b>		
Intermittent discharge of less than 100,000 gallons daily	\$ 500	\$ 500
Intermittent discharge of 100,000 gallons or more but less than 1,000,000 gallons daily	\$ 750	\$ 750
Intermittent discharge of 1,000,000 gallons or more daily	\$ 1,000	\$ 1,000

<b>Type of Permit Issued</b>	<b>Application Fee</b>	<b>Fee for Annual Review</b>
Routine discharge of less than 100,000 gallons daily	\$ 500	\$ 500
Routine discharge of 100,000 gallons or more but less than 1,000,000 gallons daily	\$ 750	\$ 750
Routine discharge of 1,000,000 gallons or more daily	\$ 1,000	\$ 1,000
<b>DISCHARGE OF WASTEWATER FROM A CONCENTRATED ANIMAL FEEDING OPERATION</b>		
Less than 100,000 gallons daily	\$ 1,500	\$ 1,500
100,000 gallons or more but less than 500,000 gallons daily	\$ 2,000	\$ 2,000
500,000 gallons or more daily	\$ 2,500	\$ 2,500
<b>PERMIT FOR A CONCENTRATED ANIMAL FEEDING OPERATION THAT DOES NOT DISCHARGE WASTEWATER</b>		
Area of a holding facility that is less than 10 acres	\$ 1,500	\$ 1,500
Area of a holding facility that is 10 acres or more but less than 20 acres	\$ 2,000	\$ 2,000
Area of a holding facility that is 20 acres or more	\$ 2,500	\$ 2,500
<b>DISCHARGE FROM A FISH HATCHERY</b>		
Less than 500,000 gallons daily	\$ 750	\$ 750
500,000 gallons or more but less than 2,500,000 gallons daily	\$ 1,000	\$ 1,000
2,500,000 gallons or more daily	\$ 1,500	\$ 1,500
<b>OTHER PERMITTED DISCHARGES</b>		

<b>Type of Permit Issued</b>	<b>Application Fee</b>	<b>Fee for Annual Review</b>
Less than 50,000 gallons daily	\$ 1,000	\$ 1,000
50,000 gallons or more but less than 250,000 gallons daily	\$ 1,500	\$ 1,500
250,000 gallons or more but less than 500,000 gallons daily	\$ 3,000	\$ 3,000
500,000 gallons or more but less than 1,000,000 gallons daily	\$ 5,000	\$ 5,000
1,000,000 gallons or more but less than 10,000,000 gallons daily	\$ 10,000	\$ 10,000
10,000,000 gallons or more but less than 35,000,000 gallons daily	\$ 10,000	\$ 20,000
35,000,000 gallons or more daily	\$ 10,000	\$ 30,000
<b>REUSE OF SEWAGE SLUDGE</b>		
Less than 20,000 cubic yards per year	\$ 1,500	\$ 1,500
20,000 cubic yards or more per year	\$ 3,000	\$ 3,000
<b>REUSE OF DOMESTIC SEPTAGE</b>	\$ 1,000	\$ 1,000
<b>DISCHARGE FROM A RECREATIONAL LAKE</b>	\$ 5,000	\$ 5,000
<b>TEMPORARY PERMIT</b>	\$ 250	Not Applicable

**Table 6B - Fee Indexing for Table 6A (Multiple the fees list above by the below factors during the appropriate time period in which the fee would be applicable.)**

<b>MULTIPLICATION FACTOR FOR FEES</b>	<b>DATES FEES DUE</b>
1.05	July 1, 2002 and July 1, 2003
1.1025	July 1, 2004 and July 1, 2005
1.1576	July 1, 2006 and July 1, 2007
1.2155	July 1, 2008 and July 1, 2009
1.2763	On or after July 1, 2010

**Table 6C - Fees not affected by Petition 2000-03 (LCB File R-206-99) Effective Until July 1, 2001**

<b>Type of Discharge Permitted</b>	<b>Application Fee for Original Permit</b>	<b>Application Fee for Renewal of Permit</b>	<b>Fee for Annual Review and Services</b>
<b>DEWATERING OF A MINE DISCHARGING TO GROUNDWATER</b>			
Cooling water only	\$ 625	\$ 315	\$ 1,000
Less than 50,000 gallons of process water daily	\$ 625	\$ 315	\$ 1,500
50,000 gallons or more but less than 1,000,000 gallons of process water daily	\$ 875	\$ 440	\$ 2,000
1,000,000 or more but less than 5,000,000 gallons of process water daily	\$ 1,000	\$ 500	\$ 2,500
5,000,000 gallons or more of process water daily	\$ 1,250	\$ 625	\$ 3,000
<b>MINING</b>			
Discharging washwater where chemicals are not added for metallurgical recovery	\$ 500	\$ 500	\$ 250
Chemically processing less than 18,250 tons per year or a pilot or testing facility	\$ 500	\$ 500	\$ 250
Chemically processing 18,250 tons per year or more but less than 36,500 tons per year	\$ 1,500	\$ 1,500	\$ 1,000
Chemically processing 36,500 tons per year or more but less than 100,000 tons per year	\$ 4,000	\$ 4,000	\$ 2,000

Type of Discharge Permitted	Application Fee for Original Permit	Application Fee for Renewal of Permit	Fee for Annual Review and Services
Chemically processing 100,000 tons per year or more but less than 500,000 tons per year	\$ 6,000	\$ 6,000	\$ 4,000
Chemically processing 500,000 tons per year or more but less than 1,000,000 tons per year	\$ 10,000	\$ 10,000	\$ 6,000
Chemically processing 1,000,000 tons per year but less than 2,000,000 tons per year	\$ 14,000	\$ 14,000	\$ 10,000
Chemically processing 2,000,000 tons per year or more	\$ 20,000	\$ 20,000	\$ 16,000
Monitoring of closed facilities	\$ 250	\$ 250	\$ 500
<b>RUNOFF OF STORM WATER</b>			
Industrial or commercial facility, including any structure, that is 5 acres to 10 acres, inclusive, in size	\$ 300	\$ 150	\$ 750
Industrial or commercial facility, including any structure, that is more than 10 acres but less than 25 acres in size	\$ 600	\$ 300	\$ 750
Industrial or commercial facility, including any structure, that is more than 25 acres in size	\$ 1,000	\$ 500	\$ 750
Municipality whose population is 250,000 or less	\$ 600	\$ 300	\$ 750

<b>Type of Discharge Permitted</b>	<b>Application Fee for Original Permit</b>	<b>Application Fee for Renewal of Permit</b>	<b>Fee for Annual Review and Services</b>
Municipality whose population is more than 250,000	\$ 1,000	\$ 500	\$ 1,000

end of fees as of July 1, 2001

**Table 6D - Fees unaffected by petition 2000-03 R-206-99; Effective on July 1, 2001**

**NAC 445B.232 Water Pollution Discharge Permit Fee Schedules**

<b>Type of Discharge Permitted</b>	<b>Application Fee for Original Permit</b>	<b>Application Fee for Renewal of Permit</b>	<b>Fee for Annual Review and Services</b>
<b>DEWATERING OF A MINE</b>			
Cooling water only	\$ 625	\$ 315	\$ 1,000
Less than 50,000 gallons of process water daily	\$ 625	\$ 315	\$ 1,500
50,000 gallons or more but less than 1,000,000 gallons of process water daily	\$ 875	\$ 440	\$ 2,000
1,000,000 or more but less than 5,000,000 gallons of process water daily	\$ 1,000	\$ 500	\$ 2,500
5,000,000 gallons or more of process water daily	\$ 1,250	\$ 625	\$ 3,000
<b>MINING</b>			

<b>Type of Discharge Permitted</b>	<b>Application Fee for Original Permit</b>	<b>Application Fee for Renewal of Permit</b>	<b>Fee for Annual Review and Services</b>
Discharging washwater where chemicals are not added for metallurgical recovery	\$ 500	\$ 500	\$ 250
Chemically processing less than 18,250 tons per year or a pilot or testing facility	\$ 500	\$ 500	\$ 250
Chemically processing 18,250 tons per year or more but less than 36,500 tons per year	\$ 1,500	\$ 1,500	\$ 2,000
Chemically processing 36,500 tons per year or more but less than 100,000 tons per year	\$ 4,000	\$ 4,000	\$ 4,000
Chemically processing 100,000 tons per year or more but less than 500,000 tons per year	\$ 6,000	\$ 6,000	\$ 8,000
Chemically processing 500,000 tons per year or more but less than 1,000,000 tons per year	\$ 10,000	\$ 10,000	\$ 10,000
Chemically processing 1,000,000 tons per year but less than 2,000,000 tons per year	\$ 14,000	\$ 14,000	\$ 14,000
Chemically processing 2,000,000 tons per year or more	\$ 20,000	\$ 20,000	\$ 20,000
Monitoring of closed facilities	\$ 250	\$ 250	\$ 500
<b>RUNOFF OF STORM WATER</b>			

<b>Type of Discharge Permitted</b>	<b>Application Fee for Original Permit</b>	<b>Application Fee for Renewal of Permit</b>	<b>Fee for Annual Review and Services</b>
Industrial or commercial facility, including any structure, that is 5 acres to 10 acres, inclusive, in size	\$ 300	\$ 150	\$ 750
Industrial or commercial facility, including any structure, that is more than 10 acres but less than 25 acres in size	\$ 600	\$ 300	\$ 750
Industrial or commercial facility, including any structure, that is more than 25 acres in size	\$ 1,000	\$ 500	\$ 750
Municipality whose population is 250,000 or less	\$ 600	\$ 300	\$ 750
Municipality whose population is more than 250,000	\$ 1,000	\$ 500	\$ 1,000

end of fees beginning July 1, 2001

**FEE DESCRIPTION: Water Pollution Control Discharge General Permit Fees**

NRS AUTHORITY: 445A.430      NAC AUTHORITY: 445A.268

CITATIONS: Application for permit; request to be included in permit; fees. (By NAC, last amended October 1993)

**DISCUSSION:**

NAC 445A.268 provides fees for general water pollution control discharge permit. The non refundable fee of \$ 200 is for the initial application and \$ 200 annual fee due each July 1st.

**FEE DESCRIPTION: Water Pollution Control Wastewater Operator Certify Fee/Schedule**

NRS AUTHORITY: 445A.430      NAC AUTHORITY: 445A.287

CITATIONS: Plants for sewage treatment: Persons required to be certified as operators; applications & fees for certification; renewal of certificate. (By NAC, last amended May 1992)

**DISCUSSION:**

NAC 445A.287 provides for fees to certify wastewater treatment plant operators. The fees are \$ 30 for a Operator in Training; \$ 60 for initial certification and \$ 75 for reciprocal certification. Each certificate duplicate costs \$ 20, and the cost of renewal of a certificate is \$ 30.

**FEE DESCRIPTION: Water Pollution Control Subdivision of Lands Map Review Fees**

NRS AUTHORITY: 445A.430      NAC AUTHORITY: 445A.342

CITATIONS: Fees for review of tentative and final maps. (By NAC, last amended September 1991)

**DISCUSSION:**

NAC 445A.342 establishes a non-refundable fee of \$ 100 plus \$ 1 per lot for the review of tentative subdivision maps and a fee of \$ 50 for final subdivision maps. NRS 278.335 referenced as the source of authority for subdivision review.

**FEE DESCRIPTION: State Revolving Loan Origination Fee**

NRS AUTHORITY: 445A.145      NAC AUTHORITY: 445A.775

CITATIONS: Fee for award of financial assistance (By NAC, last amended September 1990)

**DISCUSSION:**

NAC 445A.775 establishes a fee of .5 percent of the amount of a state sewer revolving loan or the amount of obligation. This action requires the concurrent approval of the Nevada Department of Administration.

**FEE DESCRIPTION: Underground Injection Wells Permit to Inject Fees Schedules**

NRS AUTHORITY: 445A.430      NAC AUTHORITY: 445A.872

CITATIONS: Fees (By NAC, last amended September 1990)

**DISCUSSION:**

NAC 445A.872 establishes permit fees for underground injection wells. The fees are based on class of injection well, with fees for a new Permit, Renewal of the permit and a fee for annual review and services. See **Table 7** of this report. The fee schedule is for Class II, Class V and General Permit. There is no charge for a general permit application. Class III UIC fees are based on the actual cost to review the application, with a \$ 50 per hour review rate. The renewal of cost for a Class III UIC well permit is \$ 750.

**Table 7****NAC 445A.872 Underground Injection Wells Permits to Inject Fee Schedules**

<b>Type of Injection</b>	<b>Fee for the Permit</b>	<b>Fee for Renewal</b>	<b>Fee for Well Annual Review and Services</b>
Class II, oil and gas	\$4,000 plus \$500 for each well	\$3,000 plus \$300 for each well	\$2,000 plus \$150 for each well
Class V, geothermal injection wells with the production of energy Producing 25 megawatts or more	\$5,000 plus \$500 for each well	\$4,000 plus \$300 for each well	\$3,000 plus \$150 for each
Producing 10 megawatts or more but less than 25 megawatts	\$4,000 plus \$500 for each well	\$2,500 plus \$300 for each well	\$1,500 plus \$150 for each well
Producing less than 10 megawatts	\$3,000 plus \$500 for each well	\$1,500 plus \$300 for each well	\$1,000 plus \$150 for each well
Class V, geothermal injection associated with space heating Discharging less than 250,00 gallons daily	\$700	\$500	\$250
Discharging 250,000 gallons or more daily	\$1,500	\$750	\$500
Class V, injection wells associated with remediation, treatment of waste or experimental technology	\$2,000 plus \$500 for each well	\$1,000 plus \$300 for each well	\$1,000 plus \$150 for each well
Class V, injection wells associated with mining pit dewatering	\$4,000 plus \$500 for each well	\$3,000 plus \$300 for each well	\$2,000 plus \$150 for each well
Class V, all others	\$500 plus \$100 for each well	\$250 plus \$50 for each well	\$150 plus \$25 for each well
General permit	No fee	No fee	

A Class III well will be charged a fee for a permit for the actual cost of the review of the application calculated at a rate of \$50 per hour for the time spent for the review. The fee for renewal of a permit for a Class III well is \$750.

**FEE DESCRIPTION: Underground Injection Wells Wavier for General Permit Fee**

NRS AUTHORITY: 445A.430      NAC AUTHORITY: 445A.891

CITATIONS: General permits: Eligible types of wells. (By NAC, last amended July 1987)

**DISCUSSION:**

Per NAC 445A.891 no fee is required for a Class V UIC general permit. This applies to geothermal wells discharging less than 1,800 gallons per day; swimming pools draining less than 100,000 gallons; wells to drain runoff from a storm; and wells used to inject mixtures of water and sand, mill tailings or other solids into sub-surface mines.

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